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10 Attorneys for Plaintiff

11 IZUMI OHKUBO

12 **UNITED STATES DISTRICT COURT**

13 **NORTHERN DISTRICT OF CALIFORNIA**

14 IZUMI OHKUBO,

15 Plaintiff,

16 v.

17 ANTARA BIOSCIENCES, INC.  
18 MARC R. LABGOLD AND DANA  
19 ICHINOTSUBO,

20 Defendants.

Case No.: C07 06354 JW

21 **STIPULATION AND [PROPOSED] ORDER**  
22 **EXTENDING ALTERNATIVE DISPUTE**  
23 **RESOLUTION DEADLINE**

24 Honorable James Ware  
25 Courtroom 8

26 Complaint Filed: December 14, 2007

1 THE PARTIES, THROUGH THEIR COUNSEL OF RECORD, HEREBY STIPULATE AS  
2 FOLLOWS:

- 3 1. The current presumptive deadline for the completion of the ADR in the form of mediation  
4 (ADR L. R. 6) has been set for October 31, 2008 pursuant to this Court's April 8, 2008 order.  
5 [Dkt. #33]
- 6 2. Both parties have determined that more productive and effective mediation will be  
7 possible if the mediation is postponed until after this Court decides defendants' pending motion to  
8 dismiss. [Dkt. # 10].
- 9 3. Both parties agree and stipulate to extend the deadline for completing mediation until 120  
10 days after this Court issues its ruling in connection with the pending motion to dismiss.

11  
12 IT IS SO STIPULATED.

13 DATED: September 30, 2008

NATHAN LANE III  
**SQUIRE, SANDERS & DEMPSEY L.L.P.**

15 /s/  
16 Nathan Lane III

17 Attorneys for Plaintiff  
18 IZUMI OHKUBO

19 DATED: September 30, 2008

MICHAEL J. HARTLEY  
**ALSTON & BIRD L.L.P.**

21 /s/  
22 Michael J. Hartley

23 Attorneys for Defendants  
24 ANTARA BIOSCIENCES, INC., MARC R.  
25 LABGOLD and DANA ICHINOTSUBO

1 Filer's Attestation: Pursuant to General Order No. 45, § X(B), I attest that concurrence  
2 in the filing of this document has been obtained from its signatory.

3  
4 DATED: September 30, 2008

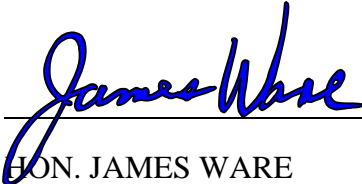
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6 /s/  
7 Nathan Lane III

8  
9 **ORDER**

10 Pursuant to Stipulation, IT IS SO ORDERED.

11 The Stipulation is found as MOOT. The Court GRANTED the Motion to Dismiss without Prejudice on September 30,  
12 2008.

13 Dated: September 30 2008

14   
15 \_\_\_\_\_  
16 HON. JAMES WARE

17 United States District Judge  
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